

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

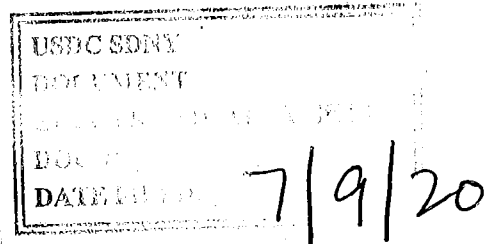
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DARRELL GIST,

Plaintiff,

v.

DR. DIANE SOMMER; OFFICER GEORGE
HUNTER; OFFICER RICHARD MCGRATH;
THE ESTATE OF OFFICER RICHARD
O'MALLEY; LIEUTENANT CARL
PEARSON; CAPTAIN MATTHEW
WHINNERY; HEALTH SERVICES
ADMINISTRATOR BRYAN WALLS; and
WARDEN MONICA RECKTENWALD

Defendants.
-----X



ORDER

14 CV 6736 (VB)

The Court having held an on-the-record telephone conference today at which counsel for both parties participated by telephone, it is HEREBY ORDERED:

1. Defendants' motion for reconsideration is GRANTED IN PART and DENIED IN PART. (Doc. #271). For the reasons set forth on the record, the Court grants the motion for reconsideration with respect to defendants Captain Matthew Whinnery and Warden Monica Recktenwald. The Court denies the motion with respect to Assistant Health Services Administrator Bryan Walls.

2. The next conference in this matter is scheduled for October 7, 2020, at 2:30 p.m. Per the SDNY COVID-19 Courthouse Entry Program, anyone who appears at any SDNY courthouse must complete a questionnaire and have their temperature taken. Please see the instructions attached. Completing the questionnaire ahead of time will save time and effort upon entry. Only those individuals who meet the entry requirements established by the questionnaire will be permitted entry. Please contact chambers if you do not meet the requirements.

The Clerk is instructed to terminate the motion (Doc. #271) and terminate defendants Captain Matthew Whinnery and Warden Monica Recktenwald from the docket.

Dated: July 9, 2020
White Plains, NY

SO ORDERED:

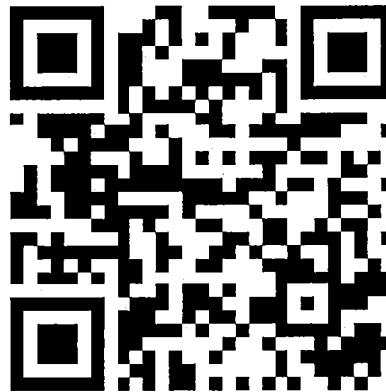
A handwritten signature in black ink, appearing to read 'Vincent Briccetti', written over a horizontal line.

Vincent L. Briccetti
United States District Judge

All members of the public, including attorneys, appearing at a Southern District of New York courthouse must complete a questionnaire and have their temperature taken before being allowed entry into that courthouse.

On the day you are due to arrive at the courthouse, click on the following weblink, or scan the following QR code with a mobile device camera to begin the enrollment process. Follow the instructions and fill out the questionnaire. If your answers meet the requirements for entry, you will be sent a QR code to be used at the SDNY entry device at the courthouse entrance.

<https://app.certify.me/SDNYPublic>



Note: If you do not have a mobile phone or mobile phone number, you must complete the questionnaire and temperature screening at an entry device at the courthouse.